

PETITION UNDER 37 CFR 1.137(b)		Docket Number (Optional) 200308888-1
<p>First named inventor: C. Brian Atkins Confirmation No.: 6372</p> <p>Application No.: 10/675,724 Art Unit: 2173</p> <p>Filed: September 30, 2003 Examiner: Vu, Kieu D</p> <p>Title: AUTOMATIC PHOTO ALBUM PAGE LAYOUT</p>		
<p>Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300</p>		
<p>NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.</p>		
<p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.</p>		
<p>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</p>		
<p>NOTE: A grantable petition requires the following items:</p>		
<p>(1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional.</p>		
<p>1. Petition fee</p>		
<p><input type="checkbox"/> Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</p>		
<p><input checked="" type="checkbox"/> Other than small entity - fee \$ 1,540 _____ (37 CFR 1.17(m))</p>		
<p>2. Reply and/or fee</p>		
<p>A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):</p>		
<p><input type="checkbox"/> has been filed previously on _____. <input checked="" type="checkbox"/> is enclosed herewith.</p>		
<p>B. The issue fee and publication fee (if applicable) of \$ _____. <input type="checkbox"/> has been paid previously on _____. <input checked="" type="checkbox"/> is enclosed herewith.</p>		

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This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

AUTHORIZATION TO CHARGE FEES TO DEPOSIT ACCOUNT

Charge \$1,540.00 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.



 Signature

Nov. 28, 2007

Date

 Edouard Garcia

 Typed or printed name

38,461

Registration Number, if applicable

(650) 289-0904

Telephone Number

Please direct all correspondence to:
 Hewlett-Packard Company
 Intellectual Property Administration
 Legal Department, M/S 35
 P.O. Box 272400
 Fort Collins, CO 80528-9599

Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: PETITION UNDER 37 CFR 1.137(b)CERTIFICATE OF TRANSMISSION

I hereby certify that this document is being transmitted to the Patent and Trademark Office via electronic filing on the date indicated below.

Date of Transmission. Nov. 28, 2007



(Signature of person mailing papers)

 Edouard Garcia

 (Typed or printed name of person mailing papers)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : C. Brian Atkins Art Unit : 2173
Serial No. : 10/675,724 Examiner : Vu, Kieu D
Filed : September 30, 2003 Confirmation No.: 6372
Title : AUTOMATIC PHOTO ALBUM PAGE LAYOUT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR 1.137(b)

Applicant hereby petitions the Director under 37 CFR 1.137(b) to revive the instant patent application, which was abandoned unintentionally as a result of a docketing error.

I. Contents of the petition

This Petition is being filed with: (1) the reply required to the outstanding Office action dated April 9, 2007; (2) the petition fee as set forth in 37 CFR 1.17(m); and (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.¹

II. Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

¹ A terminal disclaimer does not appear to be required under 37 CFR 1.137(d).

CERTIFICATE OF TRANSMISSION

I hereby certify that this document is being transmitted to the Patent and Trademark Office via electronic filing on the date shown below.

Nov. 28, 2007

Date of Transmission

(Signature of person mailing papers)

Edouard Garcia

(Typed or printed name of person mailing papers)

Applicant : C. Brian Atkins
Serial No. : 10/675,724
Filed : Sep. 30, 2003
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Attorney's Docket No.: 200308888-1

III. Conclusion

Applicant requests the Director to revive the instant patent application under 37 CFR 1.137(b).

Charge any excess fees or apply any credits to Deposit Account No. 08-2025.

Respectfully submitted,

Date: Nov. 28, 2007

Eileen A. Lehmann

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